

02-07-02

GP/1635

PATENT
ATTORNEY DOCKET NO. 10498-00012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James W. Fett and Karen A. Olson

)
Examiner: Mary M. Schmidt

Serial No.: 09/863,777

)
Art Unit: 1635

Filed: May 23, 2001

)

Title: ANTISENSE INHIBITION OF ANGIOGENIN
EXPRESSION

)
)

Assistant Commissioner for Patents
Washington, D.C. 20231

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TRANSMITTAL LETTER

Sir:

In regard to the above identified application, we are transmitting herewith the attached:

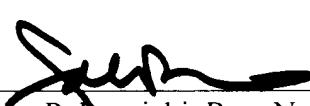
1. Amendment and Response to Notice to Comply;
2. Version of Amendments with Markings to Show Changes Made;
3. Copy of the Notice to Comply; and
4. Return postcard.

No fees are believed due. The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: February 4, 2002

By


John P. Ivanicki, Reg. No. 34,628
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
(617) 227-7111



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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09.863,777	05/23/2001	James W. Fett	10498-00012	2435

7590 01/15/2002

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EXAMINER

SCHMIDT, MARY M

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 01/15/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO. FILING DATE

FIRST NAMED INVENTOR

ATTY. DOCKET NO.



EXAMINER

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning the above identified application.
Commissioner of Patents and Trademarks

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Mary M. Schmidt*, whose telephone number is (703) 308-4471. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *John LeGuyader*, may be reached at (703) 308-0447. Any inquiry of a general nature or relating to the status of this application should be directed to the Group Analyst, *Katrina Turner*, whose telephone number is (703) 305-3413.

JOHN L. LEGUYADER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800
400

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

- Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: *The specification, including description of figures, and claims have not been amended to add the sequence identifiers next to the disclosed sequences.*

Applicant Must Provide: 

~~An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".~~

~~An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.~~

~~A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).~~

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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